

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

In re: Bair Hugger Forced Air Warming
Products Liability Litigation

MDL No. 15-2666 (JNE/DTS)

This Document Relates To:

Connell, 16-cv-2351-JNE-DTS
Oeltjen, 17-cv-3062-JNE-DTS
Folmer, 17-cv-3259-JNE-DTS
Platine, 17-cv-3476-JNE-DTS
Crume, 17-cv-3617-JNE-DTS
Richey, 17-cv-5323-JNE-DTS

**MEET AND CONFER STATEMENT
REGARDING DEFENDANTS'
FIFTH MOTION TO DISMISS
CASES FOR FAILURE TO
COMPLY WITH PRETRIAL
ORDER NO. 23 AND/OR
FED. R. CIV. P. 25(a) AND 41(b)**

The undersigned counsel for Defendants 3M Company and Arizant Healthcare Inc. (collectively “Defendants”) certifies that counsel for Defendants met and conferred with counsel for Plaintiffs in the above-referenced matters as follows:

1. On December 3, 2018, Defendants’ counsel sent individual emails to counsel for plaintiffs Connell, Oeltjen, Folmer, Platine, Crume, and Richey, requesting that they stipulate to a dismissal with prejudice of plaintiffs’ actions by December 5, 2018. Defendants’ counsel indicated that if an agreement was not reached, Defendants would file a motion to dismiss.

2. Defendants’ counsel did not receive a response from any of the above-listed plaintiffs’ counsel.

Hence, counsel for Plaintiffs and Defendants were unable to reach an agreement to stipulate to dismiss with prejudice any of the above cases.

Dated: December 6, 2018

Respectfully submitted,

s/Benjamin W. Hulse

Benjamin W. Hulse (MN #0390952)

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